

MONTANA LEGISLATIVE HISTORY

Chapter 24 1999

Bill H _____ S 6

Original bill & history ✓c

H. Committee on Judiciary

Hearing Date(s) 1/19 ✓c

1/22 ✓c

_____c

_____c

Date Out _____c

S. Committee on Judiciary

Hearing Date(s) 1/16 ✓c

_____c

_____c

_____c

Did this bill originate in an interim committee? ____Yes ____No

Committee _____

Report _____

2/04 Committee Report--Bill Concurred
Died in Process

SB 3 Introduced by Toews

LC0093 Drafter: McClure

Amend School Discipline and Punishment of Pupils Statute by Clarifying the Definition of "Corporal Punishment";...

12/02	Introduced		
12/22	Referred to Education and Cultural Resources		
1/04	1st Reading		
1/18	Hearing		
2/01	Committee Executive Action--Bill Passed as Amended	6	4
2/01	Committee Report--Bill Passed as Amended		
2/03	2nd Reading Pass Motion Failed	21	28
2/03	2nd Reading Indefinitely Postponed	30	18

SB 4 Introduced by Mahlum

LC0101 Drafter: B. Campbell

Revise Department of Commerce's Responsibility to Offer Employee Ownership Development Services;...

By Request of Department of Commerce

12/02	Introduced		
12/22	Referred to Business and Industry		
1/04	1st Reading		
1/04	Fiscal Note Requested		
1/04	Fiscal Note Received		
1/05	Fiscal Note Signed		
1/06	Fiscal Note Printed		
1/06	Hearing		
1/06	Committee Executive Action--Bill Passed	7	0
1/06	Committee Report--Bill Passed		
1/07	2nd Reading Passed	49	0
1/08	3rd Reading Passed	47	0

	Transmitted to House		
1/09	Referred to Business and Labor		
1/20	Hearing		
1/20	Committee Executive Action--Bill Concurred	18	0
1/21	Committee Report--Bill Concurred		
2/06	2nd Reading Concurred	94	2
2/08	3rd Reading Concurred	98	1

	Returned to Senate		
2/08	Sent to Enrolling		
2/09	Returned from Enrolling		
2/10	Signed by President		
2/10	Signed by Speaker		
2/12	Transmitted to Governor		
2/16	Signed by Governor		
2/17	Chapter Number Assigned		
	Chapter Number 10		
	Effective Date: 2/16/1999 - All Sections		

SB 5 Introduced by Tester

LC0112 Drafter: Niss

Relate to Fees Assessed for the Administrative Expenses of Retirement Systems;...

By Request of Public Employees' Retirement Board

12/02	Introduced		
12/22	Referred to State Administration		
1/04	1st Reading		
1/04	Fiscal Note Requested		
1/04	Fiscal Note Received		
1/05	Fiscal Note Signed		
1/06	Fiscal Note Printed		
1/08	Hearing		
1/08	Committee Executive Action--Bill Passed	5	0
1/09	Committee Report--Bill Passed		
1/11	2nd Reading Passed	50	0
1/12	3rd Reading Passed	50	0

	Transmitted to House		
1/13	Referred to State Administration		
3/02	Hearing		
3/12	Committee Executive Action--Bill Concurred	17	0
3/13	Committee Report--Bill Concurred		
3/29	2nd Reading Concurred	99	0
3/30	3rd Reading Concurred	100	0

	Returned to Senate		
3/30	Sent to Enrolling		
3/31	Returned from Enrolling		
3/31	Signed by President		
4/07	Signed by Speaker		
4/07	Transmitted to Governor		
4/09	Signed by Governor		
4/12	Chapter Number Assigned		
	Chapter Number 286		
	Effective Date: 7/01/1999 - All Sections		

SB 6 Introduced by Hargrove

LC0119 Drafter: MacMaster

Expand the List of Precursors to Dangerous Drugs for Purposes of the Offense of Criminal Possession of Precursors to Dangerous Drugs;...

By Request of House Judiciary Standing Committee

12/02	Introduced		
12/22	Referred to Judiciary		
1/04	1st Reading		
1/06	Hearing		
1/06	Committee Executive Action--Bill Passed	9	0
1/06	Committee Report--Bill Passed		
1/07	2nd Reading Passed	46	3
1/08	3rd Reading Passed	44	3

	Transmitted to House		
1/09	Referred to Judiciary		
1/19	Hearing		

HISTORY AND FINAL STATUS 1999

1/22	Committee Executive Action--Bill Concurred	17	1
1/23	Committee Report--Bill Concurred		
2/06	2nd Reading Concurred	93	4
2/09	3rd Reading Concurred	95	5

Returned to Senate
 2/09 Sent to Enrolling
 2/10 Returned from Enrolling
 2/11 Signed by President
 2/12 Signed by Speaker
 2/16 Transmitted to Governor
 2/18 Signed by Governor
 2/20 Chapter Number Assigned
 Chapter Number 24
 Effective Date: 10/01/1999 - All Sections

SB 7 Introduced by Jabs *LC0125 Drafter: Everts*

Revise the Method of Leasing State Grazing and Agricultural Lands;...

By Request of Department of Natural Resources and Conservation

12/02	Introduced		
12/22	Referred to Agriculture, Livestock and Irrigation		
1/04	1st Reading		
1/04	Fiscal Note Requested		
1/08	Fiscal Note Signed		
1/08	Fiscal Note Received		
1/09	Fiscal Note Printed		
1/11	Hearing		
1/14	Committee Executive Action--Bill Passed	8	1
1/14	Committee Report--Bill Passed		
1/16	2nd Reading Passed	47	0
1/18	3rd Reading Passed	49	0

1/19	Transmitted to House		
1/28	Referred to Agriculture		
1/29	Hearing		
1/29	Committee Executive Action--Bill Concurred	20	0
1/30	Committee Report--Bill Concurred		
2/03	2nd Reading Concurred	99	1
2/04	3rd Reading Concurred	99	0

Returned to Senate
 2/04 Sent to Enrolling
 2/05 Returned from Enrolling
 2/06 Signed by President
 2/09 Signed by Speaker
 2/09 Transmitted to Governor
 2/11 Signed by Governor
 2/12 Chapter Number Assigned
 Chapter Number 5
 Effective Date: 7/01/1999 - All Sections

SB 8 Introduced by Hargrove *LC0138 Drafter: MacMaster*

Provide That a Prosecutor May Obtain a Court Order Allowing a Telephone Service Provider to Work with a Law Enforcement Agency as Part of a Criminal

SENATE BILLS AND RESOLUTIONS

Investigation for the Purpose of Recording and Providing the Law Enforcement Agency with Telephone Numbers That Are Dialed from a Particular Telephone and the Telephone Numbers of Particular Telephones Used to Dial a Telephone Number;...

12/02	Introduced		
12/22	Referred to Judiciary		
1/04	1st Reading		
1/06	Hearing		
1/14	Committee Executive Action--Bill Passed as Amended	9	0
1/14	Committee Report--Bill Passed as Amended		
1/16	2nd Reading Passed	45	2
1/18	3rd Reading Passed	44	5

1/19	Transmitted to House		
1/19	Referred to Judiciary		
1/25	Hearing		
2/05	Committee Executive Action--Bill Concurred as Amended	14	6
2/05	Committee Report--Bill Concurred as Amended		
3/04	2nd Reading Concurred	82	17
3/05	3rd Reading Concurred	78	22

3/09	Returned to Senate with Amendments		
3/10	2nd Reading House Amendments Concurred	50	0
3/10	3rd Reading Passed as Amended by House	50	0
3/10	Sent to Enrolling		
3/11	Returned from Enrolling		
3/12	Signed by President		
3/13	Signed by Speaker		
3/15	Transmitted to Governor		
3/17	Signed by Governor		
3/19	Chapter Number Assigned		
	Chapter Number 97		
	Effective Date: 10/01/1999 - All Sections		

SB 9 Introduced by McNutt *LC0150 Drafter: K. Williams*

Limit the Requirement That the Legislature Affirm Certain Large-scale Changes of Water Right Authorization to Only Those Changes That Involve Out-of-state Transportation and Use;...

By Request of Department of Natural Resources and Conservation

12/02	Introduced		
12/22	Referred to Natural Resources		
1/04	1st Reading		
1/06	Hearing		
1/11	Committee Executive Action--Bill Passed	10	0
1/11	Committee Report--Bill Passed		
1/12	2nd Reading Passed	50	0
1/13	3rd Reading Passed	44	0

1/14	Transmitted to House		
1/14	Referred to Natural Resources		
2/02	Referred to Agriculture		
2/09	Committee Executive Action--Bill Concurred	20	0
2/09	Hearing		
2/10	Committee Report--Bill Concurred		

SENATE BILL NO. 6

INTRODUCED BY HARGROVE D

A BILL FOR AN ACT ENTITLED: "AN ACT EXPANDING THE LIST OF PRECURSORS TO DANGEROUS DRUGS FOR PURPOSES OF THE OFFENSE OF CRIMINAL POSSESSION OF PRECURSORS TO DANGEROUS DRUGS; AND AMENDING SECTION 45-9-107, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 45-9-107, MCA, is amended to read:

"45-9-107. Criminal possession of precursors to dangerous drugs. (1) A person commits the offense of criminal possession of precursors to dangerous drugs if ~~he~~ the person possesses any material, compound, mixture, or preparation that contains any combination of the following with intent to manufacture dangerous drugs:

(a) ~~phenyl-2-propanone (phenylacetone) with the intent to manufacture amphetamine or methamphetamine, or both;~~

(b) ~~both piperidine and in conjunction with cyclohexanone at the same time, or a combination product thereof, with the intent to manufacture phencyclidine (PCP);~~

(c) ephedrine;

(d) lead acetate;

(e) methylamine;

(f) methylformamide;

(g) n-methylephedrine;

(h) phenylpropanolamine;

(i) pseudoephedrine;

(j) anhydrous ammonia;

(k) hydriodic acid;

(l) red phosphorus;

(m) iodine in conjunction with ephedrine, pseudoephedrine, or red phosphorus;

(n) lithium in conjunction with anhydrous ammonia.

1 (2) A person convicted of criminal possession of precursors to dangerous drugs shall be
2 imprisoned in the state prison for a term not less than 2 years or more than 20 years or be fined an
3 amount not to exceed \$50,000, or both."

4 - END -

INDEX TO BILLS IN COMMITTEE

June 30, 1999

- Committee: (S) Judiciary -

04:57 PM

**SENATE
JUDICIARY**

CHAIR: Grosfield, Lorents **VICE CHAIR:** Bishop, Al

MEMBERS:

Bartlett, Sue	Doherty, Steve
Grimes, Duane	Halligan, Mike
Holden, Ric	Jabs, Reiny
McNutt, Walter	

SECRETARY: Croucher, Delila

Keintz, Judy

LEGISLATIVE STAFF:

Lane, Valencia

INDEX TO BILLS IN COMMITTEE

- Committee: (S) Judiciary -

June 30, 1999

04:57 PM

- | | | |
|--|------------------------|---|
| SB 6 | SPONSOR: Hargrove, Don | SHORT TITLE: Revise drug precursor laws |
| BY REQUEST OF: (H) Judiciary Standing Committee | | |
| REFERRED ON: 12/22/1998 HEARD ON: 01/06/1999 | | |
| EXECUTIVE ACTION: 01/06/1999 Bill Passed -- VOTE: 9 - 0 | | |
| FINAL DISPOSITION 02/20/1999 Chapter Number Assigned | | |
| SB 8 | SPONSOR: Hargrove, Don | SHORT TITLE: Telephone tap to record numbers dialed by or calling a person |
| REFERRED ON: 12/22/1998 HEARD ON: 01/06/1999 | | |
| EXECUTIVE ACTION: 01/14/1999 Bill Passed as Amended -- VOTE: 9 - 0 | | |
| FINAL DISPOSITION 03/19/1999 Chapter Number Assigned | | |
| SB 16 | SPONSOR: Keenan, Bob | SHORT TITLE: Limit liability for Y2K millennium computer errors |
| BY REQUEST OF: Department Of Administration | | |
| REFERRED ON: 12/22/1998 HEARD ON: 01/11/1999 | | |
| (S) Discussed in Committee ON | | |
| (S) Discussed in Committee ON | | |
| (S) Discussed in Committee ON | | |
| EXECUTIVE ACTION: 02/12/1999 Bill Passed as Amended -- VOTE: 6 - 3 | | |
| FINAL DISPOSITION 04/22/1999 (H) Died in Standing Committee | | |
| SB 20 | SPONSOR: Shea, Debbie | SHORT TITLE: Revise procedure for Board of Pardons and Parole |
| BY REQUEST OF: Board Of Pardons And Parole | | |
| REFERRED ON: 12/22/1998 HEARD ON: 01/08/1999 | | |
| EXECUTIVE ACTION: 01/14/1999 Bill Passed as Amended -- VOTE: 9 - 0 | | |
| FINAL DISPOSITION 04/23/1999 Chapter Number Assigned | | |
| SB 22 | SPONSOR: Mohl, Arnie | SHORT TITLE: Revise training of parole, probation, and corrections officers |
| BY REQUEST OF: Department Of Corrections | | |
| REFERRED ON: 12/22/1998 HEARD ON: 01/08/1999 | | |
| EXECUTIVE ACTION: 01/14/1999 Bill Passed as Amended -- VOTE: 9 - 0 | | |
| FINAL DISPOSITION 04/16/1999 Chapter Number Assigned | | |
| SB 24 | SPONSOR: Nelson, Linda | SHORT TITLE: Eliminate authority for part-time youth probation officers |
| REFERRED ON: 12/22/1998 HEARD ON: 01/06/1999 | | |
| EXECUTIVE ACTION: 01/12/1999 Bill Passed -- VOTE: 9 - 0 | | |
| FINAL DISPOSITION 04/22/1999 (H) Died in Standing Committee | | |

MINUTES

MONTANA SENATE 56th LEGISLATURE - REGULAR SESSION

JUDICIARY

Call to Order: By CHAIRMAN LORENTS GROSFIELD, on January 6, 1999
at 9:00 A.M., in Room 104 Capitol.

ROLL CALL

Members Present:

Sen. Lorents Grosfield, Chairman (R)
Sen. Al Bishop, Vice Chairman (R)
Sen. Sue Bartlett (D)
Sen. Steve Doherty (D)
Sen. Duane Grimes (R)
Sen. Mike Halligan (D)
Sen. Ric Holden (R)
Sen. Reiny Jabs (R)
Sen. Walter McNutt (R)

Members Excused: None.

Members Absent: None.

Staff Present: Judy Keintz, Committee Secretary
Valencia Lane, Legislative Services Division

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: SB 6, SB 8, SB 24, SB 54,
1/3/1999
Executive Action: SB 6

HEARING ON SB 6

Sponsor: SEN. DON HARGROVE, SD 16, Belgrade

Proponents: Mike Batista, Administrator of the Division of
Criminal Investigation, Dept. of Justice
Kent Funyak, Cascade County Undersheriff
Roland Mena, Bureau Chief of Chemical Dependency,
Department of Public Health and Human Services

Brad Griffin, Montana Retail Association
Jim Smith, Montana Sheriffs and Peace Officers
Association
Bill Stevens, Montana Food Distributors
Association
Troy McGee, Montana Chiefs of Police Association
Jerry Williams, Montana Police Protective
Association

Opponents: None.

Opening Statement by Sponsor:

SEN. DON HARGROVE, SD 16, Belgrade, introduced SB 6. He remarked that the narcotics problem is one of the most important issues dealt with by the legislature. A large percentage of the persons incarcerated in Montana for violent crimes are there because of drug-related problems. This legislation addresses the ingenuity of the people who manufacture and traffic illegal drugs.

{Tape : 1; Side : A; Approx. Time Counter : 9:02}

Proponents' Testimony:

Mike Batista, Administrator of the Division of Criminal Investigation, Dept. of Justice, commented that 80 % of their cases are methamphetamine related. This compares with 10 % to 20% five years ago. A recent study identified that most of the Rocky Mountain states are suffering abuses of methamphetamine far beyond the abuses of cocaine. In 1997 they seized three working methamphetamine labs and in 1998 twelve methamphetamine labs. There is also an increase in the number of people seeking treatment for methamphetamine addiction. They would like to make the law pro-active in dealing with the circumstances taking place in the field.

Kent Funyak, Cascade County Undersheriff, rose in support of the bill on behalf of the Montana Narcotics Officers Association. The precursor legislation is needed for the officers who are out on the streets on a daily basis trying to stop methamphetamine productivity in the state. This legislation will allow persons to be charged before the product is actually produced. The sparse population in Montana makes these labs difficult to find.

Roland Mena, Bureau Chief of Chemical Dependency, Department of Public Health and Human Services, spoke in support of the bill, EXHIBIT(1). Since 1997 they have seen a 24% increase in the number of individuals admitted to the chemical dependency center

in Butte. Of great concern is the female population's use of this chemical. Approximately 48% of the females admitted to the residential program report the use of methamphetamine as their drug of choice. Statewide, methamphetamine is the third ranking drug of choice.

Brad Griffin, Montana Retail Association, rose in support of SB 6. He provided a letter from the **National Association of Chain Drug Stores** also in support of this legislation, **EXHIBIT(2)**.

Jim Smith, Montana Sheriffs and Peace Officers Association, rose in support of SB 6.

Bill Stevens, Montana Food Distributors Association, stated that this legislation places the responsibility in the right places. He provided a position paper submitted by the **Nonprescription Drug Manufacturer's Association**, **EXHIBIT(3)**.

Troy McGee, Montana Chiefs of Police Association, rose in strong support of SB 6.

Jerry Williams, Montana Police Protective Association, rose in support of SB 6.

Opponents Testimony: None.

Questions from Committee Members and Responses:

SEN. BISHOP questioned whether there would be an occasion for someone other than a drug dealer to be in possession of the materials listed in the bill. **SEN. HARGROVE** stated that some of these materials were common items. He added that a court order was needed which stated that there is probable cause that persons have possession of these materials for the purpose of manufacturing drugs.

SEN. BARTLETT questioned whether a certain quantity would be necessary to manufacture drugs. **SEN. HARGROVE** affirmed that it would.

SEN. BARTLETT raised a concern that the legislation included a minimum penalty of two years for criminal possession of these precursors. **Joe Thaggard, Assistant Attorney General**, stated that mandatory minimum sentences have been the practice in the area of drug charges. Under §45-9-202, there is a provision for alternative sentencing which permits a district court to consider the individual circumstances of a drug offense. Specific circumstances are not mentioned. This is broader than provisions in Title 46 which apply to mandatory minimums for other crimes.

CHAIRMAN GROSFIELD questioned how the intent to manufacturer drugs could be verified. Mr. Batista stated this was demonstrated through the information which surfaced from an investigation. The information can be provided by an informant, corroboration of an undercover agent, or through the purchase of the drugs.

Closing by Sponsor:

SEN. HARGROVE closed on SB 6.

{Tape : 1; Side : A; Approx. Time Counter : 9.22}

HEARING ON SB 8

Sponsor: SEN. DON HARGROVE, SD 16, Belgrade

Proponents: Mike Batista, Administrator of the Division of Criminal Investigation, Dept. of Justice
Kent Funyak, Cascade County Undersheriff
Troy McGee, Chiefs of Police Association
Jim Smith, Montana Sheriffs and Peace Officers Association
Jerry Williams, Montana Police Protective Association

Opponents: Scott Crichton, American Civil Liberties Union
Barbara Ranf, U.S. West

Opening Statement by Sponsor:

SEN. DON HARGROVE, SD 16, Belgrade, introduced SB 8 which adds another tool for law enforcement. This legislation would allow for the use of a device to provide numbers dialed in a particular location. This is not a phone tap. It allows law officers to be pro-active and focus their effort at a higher level.

Proponents' Testimony:

Mike Batista, Administrator of the Division of Criminal Investigation, Dept. of Justice, explained that a pen register and trap and trace device is an investigative tool that would allow for better focus of quality violators. This would include violators who are the ones making the money in the organization. After a law enforcement officer obtains a court order, it would be presented to the telephone company which would help to install the device on a suspect's phone line. The information would include outgoing telephone numbers dialed from a suspect's phone and incoming telephone numbers received at the suspect's home

Closing by Sponsor:

SEN. HALLIGAN requested that more time be spent reviewing these issues. The goal of the interim committee was to arrive at a system that was more coherent and sensitive to the issues related to early intervention and keeping these juveniles out of prison later in their lives. He agreed with the amendments regarding the consent decree with petition which would provide some flexibility for probation officers and the judges to be able to keep the juveniles out of the district court. He also agreed with clarifying that licensed facilities could be used. The criminally convicted youth issue provides the distinction for the direct file. The cap language needs to be reviewed. The department still maintains its fiscal responsibility for the juveniles. They want to make sure that judges are comfortable that individuals sent to a facility are completing their sentence. He agreed that this bill should be dovetailed with block grants to insure that the four or five large counties are not overloading the system at the expense of those that are trying to provide treatment in the rural areas or other communities.

EXECUTIVE ACTION ON SB 6

Motion: SEN. GRIMES MOVED SB 6 DO PASS.

Discussion:

SEN. BARTLETT raised a concern regarding mandatory sentences for criminal sale of narcotic drugs or opiates, possession of opiates, possession with intent to sell opiates, and criminal possession of precursors which all have mandatory two-year minimums. One of the issues in the sentencing structure is how sentences relate to each other given the severity of the crime. This legislation has the same mandatory minimum for criminal possession of precursors as does the possession with intent to sell opiates. We need to be consistently aware of the questions about our sentencing system and hopefully we will have some avenue in the next interim to do a thorough review of the sentencing structure in the state.

Vote: Motion carried 9-0.

INDEX TO BILLS IN COMMITTEE

June 30, 1999

- Committee: (H) Judiciary -

04:00 PM

**HOUSE
JUDICIARY**

CHAIR: Clark, Robert

VICE CHAIR: McGee, Dan
Wyatt, Diana

MEMBERS:

Ahner, Chris

Anderson, Shiell

Clark, Paul

Curtiss, Aubyn

Eggers, Bill

Facey, Tom

Gallus, Steven

Gutsche, Gail

Hurdle, Joan

Jore, Rick

Kitzenberg, Sam

Molnar, Brad

Noennig, Mark

Shockley, Jim

Soft, Loren

Williams, Carol

Younkin, Cindy

SECRETARY: Schindler, Pam

LEGISLATIVE STAFF: MacMaster, John

INDEX TO BILLS IN COMMITTEE

June 30, 1999

- Committee: (H) Judiciary -

04:00 PM

-
- SB 6** **SPONSOR:** Hargrove, Don **SHORT TITLE:** Revise drug precursor laws
 BY REQUEST OF: (H) Judiciary Standing Committee
 REFERRED ON: 01/09/1999 **HEARD ON:** 01/19/1999
 EXECUTIVE ACTION: 01/22/1999 Bill Concurred -- **VOTE:** 17 - 1
 FINAL DISPOSITION 02/20/1999 Chapter Number Assigned
-
- SB 8** **SPONSOR:** Hargrove, Don **SHORT TITLE:** Telephone tap to record numbers dialed by or calling a person
 REFERRED ON: 01/19/1999 **HEARD ON:** 01/25/1999
 EXECUTIVE ACTION: 02/05/1999 Bill Concurred as Amended -- **VOTE:** 14 - 6
 FINAL DISPOSITION 03/19/1999 Chapter Number Assigned
-
- SB 16** **SPONSOR:** Keenan, Bob **SHORT TITLE:** Limit liability for Y2K millennium computer errors
 BY REQUEST OF: Department Of Administration
 REFERRED ON: 02/16/1999 **HEARD ON:** 03/02/1999
 TABLED ON: 03/08/1999
 FINAL DISPOSITION 04/22/1999 (H) Died in Standing Committee
-
- SB 20** **SPONSOR:** Shea, Debbie **SHORT TITLE:** Revise procedure for Board of Pardons and Parole
 BY REQUEST OF: Board Of Pardons And Parole
 REFERRED ON: 01/19/1999 **HEARD ON:** 01/27/1999
 EXECUTIVE ACTION: 01/29/1999 Bill Concurred as Amended -- **VOTE:** 19 - 1
 FINAL DISPOSITION 04/23/1999 Chapter Number Assigned
-
- SB 22** **SPONSOR:** Mohl, Arnie **SHORT TITLE:** Revise training of parole, probation, and corrections officers
 BY REQUEST OF: Department Of Corrections
 REFERRED ON: 02/16/1999 **HEARD ON:** 03/03/1999
 EXECUTIVE ACTION: 03/30/1999 Bill Concurred -- **VOTE:** 13 - 7
 TABLED ON: 03/03/1999
 FINAL DISPOSITION 04/16/1999 Chapter Number Assigned
-
- SB 24** **SPONSOR:** Nelson, Linda **SHORT TITLE:** Eliminate authority for part-time youth probation officers
 REFERRED ON: 01/18/1999 **HEARD ON:** 01/22/1999
 TABLED ON: 01/29/1999
 FINAL DISPOSITION 04/22/1999 (H) Died in Standing Committee
-

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
56th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON JUDICIARY

Call to Order: By **CHAIRMAN ROBERT C. CLARK**, on January 19, 1999
at 8:00 A.M., in Room 312 - 1 Capitol.

ROLL CALL

Members Present:

Rep. Robert C. Clark, Chairman (R)
Rep. Dan McGee, Vice Chairman (R)
Rep. Diana Wyatt, Vice Chairman (D)
Rep. Chris Ahner (R)
Rep. Shiell Anderson (R)
Rep. Paul Clark (D)
Rep. Bill Eggers (D)
Rep. Tom Facey (D)
Rep. Steven Gallus (D)
Rep. Gail Gutsche (D)
Rep. Joan Hurdle (D)
Rep. Rick Jore (R)
Rep. Sam Kitzenberg (R)
Rep. Brad Molnar (R)
Rep. Mark Noennig (R)
Rep. Jim Shockley (R)
Rep. Loren Soft (R)
Rep. Carol Williams (D)
Rep. Cindy Younkin (R)

Members Excused: Rep. Aubyn A. Curtiss (R)

Members Absent: None.

Staff Present: John MacMaster, Legislative Branch
Pam Schindler, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing: 1/19/1999- HB 214, HB 235, SB 6, SB 32,
Date Posted: 1/14/1999
Executive Action: HB's 54, 213 and 28 Tabled

EXHIBIT(4)

EXHIBIT(5)

Dan Rossmiller, self

{Tape : 1; Side : A; Approx. Time Counter : 367 - 387}

Mike Strand, Montana Independent Telecommunications Systems

{Tape : 1; Side : A; Approx. Time Counter : 387 - 433}

Jason Fitzpatrick, Online Safety Organizations

{Tape : 1; Side : A; Approx. Time Counter : 433 - 550}

Opponents:

Scott Crichton, ACLU

{Tape : 1; Side : B; Approx. Time Counter : 0 - 91}

EXHIBIT(6)

Informational Testimony:

None

Questions from Committee Members and Responses:

{Tape : 1; Side : B; Approx. Time Counter : 91 - 444}

EXHIBIT(7)

Closing by Sponsor:

Rep. Witt made closing statements.

{Tape : 1; Side : B; Approx. Time Counter : 444 - 467}

HEARING ON SB 6

Sponsor:

Sen. Hargrove presented SB 6.

{Tape : 1; Side : B; Approx. Time Counter : 467 - 550}

{Tape : 2; Side : A; Approx. Time Counter : 0 - 28}

EXHIBIT(8)

EXHIBIT(9)

Proponents:

Mike Batista, Montana Dept. of Justice

{Tape : 2; Side : A; Approx. Time Counter : 28 - 52}

Bob Aanderson, Montana Sheriffs and Peace Officers Association

{Tape : 2; Side : A; Approx. Time Counter : 52 - 55}

Jerry Williams, Montana Police Protective Association

{Tape : 2; Side : A; Approx. Time Counter : 55 - 64}

Opponents:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

{Tape : 2; Side : A; Approx. Time Counter : 64 - 175}

Closing by Sponsor:

Sen. Hargrove made closing statements.

{Tape : 2; Side : A; Approx. Time Counter : 175 - 216}

HEARING ON SB 32

Sponsor:

Sen. Grimes presented SB 32.

{Tape : 2; Side : A; Approx. Time Counter : 216 - 271}

Proponents:

Joan Akton, Warden- Montana State Women's Prison

{Tape : 2; Side : A; Approx. Time Counter : 271 - 302}

Diane Libeinger-Cook, Rep. from Alberton

{Tape : 2; Side : A; Approx. Time Counter : 302 - 442}

Jerry Williams, Montana Police Protective Association

{Tape : 2; Side : A; Approx. Time Counter : 442 - 459}

Bob Anderson, Montana Sheriffs and Peace Officers Association

{Tape : 2; Side : A; Approx. Time Counter : 459 - 468}

Opponents:

None

Informational Testimony:

Mike Mahoney, Warden-Montana State Prison

{Tape : 2; Side : A; Approx. Time Counter : 468 - 476}

Questions from Committee Members and Responses:

{Tape : 2; Side : A; Approx. Time Counter : 476 - 550}{Tape : 2;
Side : B; Approx. Time Counter : 0 - 263}

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
56th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON JUDICIARY

Call to Order: By **CHAIRMAN ROBERT C. CLARK**, on January 22, 1999
at 7:00 A.M., in Room 312 - 1 Capitol.

ROLL CALL

Members Present:

Rep. Robert C. Clark, Chairman (R)
Rep. Dan McGee, Vice Chairman (R)
Rep. Diana Wyatt, Vice Chairman (D)
Rep. Chris Ahner (R)
Rep. Shiell Anderson (R)
Rep. Paul Clark (D)
Rep. Aubyn A. Curtiss (R)
Rep. Bill Eggers (D)
Rep. Tom Facey (D)
Rep. Steven Gallus (D)
Rep. Gail Gutsche (D)
Rep. Joan Hurdle (D)
Rep. Rick Jore (R)
Rep. Sam Kitzenberg (R)
Rep. Brad Molnar (R)
Rep. Mark Noennig (R)
Rep. Jim Shockley (R)
Rep. Loren Soft (R)
Rep. Carol Williams (D)
Rep. Cindy Younkin (R)

Members Excused: None.

Members Absent: None.

Staff Present: John MacMaster, Legislative Branch
Pam Schindler, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing Date: 1/22/1999HB 292, HB 293, HB283, HB261
SB 24

Date Posted: 1/18/1999

Executive Action: HB203-Do Pass as Amended
HB 149-Do Pass as Amended
HB 47-Do Pass as Amended
SB 6-Be Concurred
HB 214-Do Pass
HB 283-Do Pass
HB's-235,261 and SB 32 Tabled

EXECUTIVE ACTION ON HB 214

Motion/Vote: REP. MCGEE moved that HB 214 BE PASSED. Motion carried unanimously.

(Rep. Williams and Eggers absent during this action)

{Tape : 1; Side : A; Approx. Time Counter : 0 - 105}

EXECUTIVE ACTION ON HB 235

Motion/Vote: REP. YOUNKIN moved that HB 235 BE AMENDED. Motion carried 14-4.

Motion/Vote: REP. MOLNAR moved that HB 235 BE TABLED. Motion carried 11-7 with Ahner, Clark, Curtiss, Kitzenberg, McGee, Shockley, and YOUNKIN voting no.

(Rep. Williams and Eggers absent during this action)

{Tape : 1; Side : A; Approx. Time Counter : 105 - 246}

EXECUTIVE ACTION ON SB 6

Motion/Vote: REP. YOUNKIN moved that SB 6 BE CONCURRED IN. Motion carried 17-1 with Jore voting no.

(Rep. Williams and Eggers absent during this action)

{Tape : 1; Side : A; Approx. Time Counter : 246 - 426}

EXECUTIVE ACTION ON HB 47

Motion/Vote: REP. ANDERSON moved that HB 47 BE AMENDED. Motion carried 17-1 with Molnar voting no. EXHIBIT(1)

Motion/Vote: REP. YOUNKIN moved that HB 47 BE PASSED AS AMENDED. Motion carried unanimously.